

**REMARKS**

The Notice of Allowance and Fee(s) Due mailed July 16, 2004, in the above-identified application, is noted. In response thereto, and instead of payment of the Issue Fee and Publication Fee, Applicants are concurrently filing a Request For Continued Examination (RCE) Transmittal, with the necessary Submission in connection therewith being constituted by the present amendments to the claims and a concurrently filed Information Disclosure Statement. In view of the present amendments and the concurrently filed Information Disclosure Statement, it is respectfully submitted that a proper RCE has been presently submitted in the above-identified application.

By the present amendments, Applicants are amending each of claims 1, 8 and 16 to recite a third insulating film between the semiconductor substrate and the second insulating film, formed by oxidizing the semiconductor substrate, claim 1 further reciting that the semiconductor substrate is oxidized in the second region; claims 1 and 16 have been further amended to recite that the dielectric constant of the second insulating film is more than 8.0. In light of recitation of the dielectric constant of the second insulating film in claims 1 and 16, claims 4 and 19 have been cancelled without prejudice or disclaimer.

In addition, Applicants are adding new claims 24-33 to the application. Claims 24, 27 and 30, dependent respectively on claims 1, 8 and 16, recite that the third insulating film is an oxide film; and claims 25, 28 and 31, dependent respectively on claims 1, 8 and 16, recite that the third insulating film is formed by a heat treatment. Claims 26, 29 and 32, dependent respectively on claims 1, 8 and

16, recite that the third insulating film is formed by a heat treatment for modifying the second insulating film; and claim 33, dependent on claim 1, recites that the third insulating film is formed after the first insulating film is formed.

With respect to amendments to original claims, and with respect to the newly added claims, note, for example, pages 14 and 15 of Applicants' specification.

The Examiner's attention is respectfully directed to the concurrently filed Information Disclosure Statement in the above-identified application, and comments therein with respect to differences between the presently claimed subject matter and the documents being submitted in this Information Disclosure Statement.

In view of the foregoing comments and amendments, granting of the concurrently filed Request For Continued Examination and entry of the present amendments; and, moreover, examination of the above-identified application in due course, in light of, inter alia, the documents submitted in the concurrently filed Information Disclosure Statement, are respectfully requested.

Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to the Deposit Account

501.42174VX1

No. 01-2135 (Case No. 501.42174VX1), and please credit any excess fees to such  
Deposit Account.

Respectfully submitted,

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